REMARKS

Claims 1-3 and 5-54 are pending in this application, of which Claims 1, 9, 15, 16, 24, 30, 31, 39 and 45-54 are in independent form. Claim 4 has been canceled, without prejudice or disclaimer of subject matter. Claims 1, 2, 6, 7, 9, 10, 13, 15-17, 21, 22, 24, 25, 28, 30-32, 36, 37, 39, 40 and 43-54 have been amended to define still more clearly what Applicants regard as their invention.

Claims 1-4, 6-8, 16-19, 21-23, 31-34, 36-38, 46, 48 and 52 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,204,867 (Fujimoto et al.). Claims 5, 20 and 35 were rejected under 35 U.S.C. § 103(a) as being obvious from *Fujimoto* in view of U.S. Patent 6,438,274 (Tokuyama et al.), Claims 9-11, 13-15, 24-26, 28-30, 39-41, 43-45, 47, 48, 50, 51, 53 and 54, as being obvious from *Fujimoto* in view of U.S. Patent 5,751,433 (Narendranath et al.), and Claims 12, 27 and 42, as being obvious from *Fujimoto* in view of *Tokuyama*.

As Applicants have pointed out in their response to the last Office Action, the subject matter and the objects of *Fujimoto* differ in basic ways from those of the present application. Applicants have amended their claims to clarify the claim language, and to point up these differences even more strongly (although Applicants believe firmly that even their previously presented claim language distinguished over that patent, for the reasons of record).

For example, independent Claim 1 is directed to an image processing apparatus that comprises input means for inputting an image of one of a plurality of image types, image processing means for generating a recording image data based on the input image, and selecting means, which an operator uses to select a recording mode. The image

processing means are capable of generating first recording image data for recording the image on a recording material at a predetermined recording density, and second recording image data for recording the image on a recording material at a recording density lower than that of the first recording image data, by reducing the number of recording dots, and the operator, using the selecting means, selects a recording mode from among a first recording mode, for recording the first recording image data, and a second recording mode, for recording the second recording image data. Also provided are determining means for determining if the input image is a predetermined image type, and control means. The control means change to the first recording mode, when the second recording mode is selected by the operator and the determining means determine that the input image is the predetermined image type suitable for recording by the first recording mode.

Among other important features of an apparatus according to Claim 1, is the presence of the image processing means capable of generating a plurality of different recording image data, corresponding respectively to various recording modes. This clarifies that the modes referred to do not correspond simply to a choice of different mirrors, nor to a choice between color and monochrome recording, as in *Fujimoto*.

As Applicants have discussed previously, the technology to which *Fujimoto* relates, has to do with controlling rotation of two or more mirrors based on the result of judging the type of an original (Fig. 5 and Fig. 6) or the operation of a mode specification by the operator (Figs. 7-13).

The apparatus of Claim 1 differs greatly from *Fujimoto* in that it controls not the rotation of a motor but the kind of recording image data to be generated. Moreover, nothing in *Fujimoto* is seen to indicate any arrangement that changes a recording mode,

when the recording mode selected by the operator is unsuitable, as recited in Claim 1. For all these reasons, it is believed clear that Claim 1 is allowable over *Fujimoto*.

Independent Claim 47 is directed to an image processing apparatus that comprises input means for inputting an image that is a color image or a monochrome image, and selecting means for selecting a recording mode. The selection is made from among three recording modes, of which the first is for unconditionally decimating the image input by the input means and recording the image on a recording material. The second mode is one in which reference is made to images of pixels surrounding a given pixel of the input image and the image is decimated in a manner such that whether a given pixel is deleted is based on the surrounding pixels that have been referred to, and recording the image is recorded on the recording material, while the third mode is one in which the input image is recorded without being decimated.

Also provided in an apparatus according to Claim 47, are determining means for determining if the input image is a color image or a monochrome image, and control means for changing to the third recording mode, when either the first or the second recording mode is selected by the selecting means, and it is determined by the determining means that the input image is a color image.

The Office Action concedes that the terms of Claim 47 are not met by *Fujimoto*, which as is noted in the Office Action does not teach or suggest recording modes like the first and second modes recited in Claim 47 (the first, in which decimation is performed unconditionally, and the second, in which decimation is performed in a manner that depends on the pixels surrounding a given pixel). For these two modes, the Office Action cites *Narendranath*.

Narendranath relates to a draft printing system in which it is possible, to conserve ink or toner, to print with a reduced-slope, draft-mode reproduction curve (see Fig. 1). Various draft modes are available, and as shown in Fig. 3, an operator can select among a number of pre-set draft modes, including ones in which, variously, only black ink is used, or all colors are used, or only with three primary colors; in each of these modes, the reduced-slope curve mentioned above is utilized, so that the ink or toner consumption is reduced as compared with similar printing using a normal curve.

In addition, as illustrated in Figs. 3 and 4, the user can select a variable color draft, in which the user can set the maximum densities of the various primary colors independently (col. 8, lines 45-55). What has not been found, or pointed out, in *Narendranath*, however, is any hint of a mode in which image data is decimated conditionally as in the second mode recited in Claim 47, that is, in such manner that whether a given pixel is deleted is determined (at last in part) by reference to surrounding pixels. Applicants note the apparent assertion at page 7, first full paragraph, of the Office Action, that *Narendranath* discloses a mode in which reference is made to the image of surrounding pixels, but find themselves unable to agree with what appears to be the Examiner's view. The mentioned portion of the Office Action appears to state that a mode in which only one component (say, only black) of an image is printed, somehow amounts to a mode in which reference has been made to surrounding pixels. This, frankly, is not understood. In a black-only mode (or any other monochrome mode), a global decision is made that only one component is printed (or else, possibly, that all components are printed out using the same-color toner or ink). This decision does not in any way proceed pixel by pixel, and in no case is the decision made based on any particular pixels. The view stated

in this portion of the Office Action appears thus to be entirely incorrect.

For all these reasons, it is believed that Claim 47 is plainly allowable over *Narendranath* and *Fujimoto*, taken separately or in any permissible combination (if any exists).

Each of the other independent claims in this application contains recitations similar in relevant respects to those discussed above with regard to, respectively, Claim 1 or Claim 47, and each independent claim is thus deemed also to be allowable over the art discussed above by virtue of the foregoing remarks.

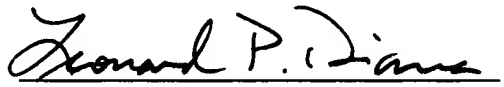
A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Preliminary Amendment is believed clearly to place this application in condition for allowance. Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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